

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kozy Bar and Apartments-Pastoret Terrace
Building et al,

Civil No. 12-580 (ADM/LIB)

Plaintiffs,

v.

REPORT AND RECOMMENDATION

The City of Duluth et al,

Defendants.

On June 7, 2012, the parties appeared before the Court seeking to amend the complaint and continue the hearing date for Defendants' motion to dismiss. In anticipation of a forthcoming stipulation of dismissal, at the hearing, Plaintiffs withdrew their motions to amend and to continue. (See Docket No. 43). The parties have now filed a stipulation for dismissal without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(2). (See Docket No. 45).

Pursuant to the parties' Stipulation,

IT IS HEREBY RECOMMENDED that the present action be dismissed without prejudice, without costs or disbursements to any party, subject to the conditions in the parties' Stipulation, and that judgment be entered accordingly.

Dated: June 11, 2012

s/Leo I. Brisbois

LEO I. BRISBOIS
United States Magistrate Judge

NOTICE

Pursuant to Local Rule 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties **by June 25, 2012**, a writing that specifically identifies the portions of the Report to which objections are made and the bases for each objection. A party may respond to the objections within fourteen days of service thereof.

Written submissions by any party shall comply with the applicable word limitations provided for in the Local Rules. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. This Report and Recommendation does not constitute an order or judgment from the District Court, and it is therefore not directly appealable to the Court of Appeals.